

1 BILL NO. Z-81-09- 23

2 ZONING MAP ORDINANCE NO. Z- 2581

3  
4 AN ORDINANCE amending the City of Fort  
5 Wayne Zoning Map No. L-22.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
7 FORT WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is  
9 hereby designated an R-1 District under the terms of Chapter  
10 33, The Code of the City of Fort Wayne, Indiana of 1974:

11 Part of the Northwest 1/4 and Southwest 1/4 of  
12 Section 26, Township 31 North, Range 12 East,  
13 described as follows:

14 Commencing at a point on the West line of said  
15 Section 26, a distance of 128.0 feet North of  
16 the West quarter corner of said Section 26;  
17 thence East and parallel to the South line of the  
18 Northwest quarter of said Section 26, a distance  
19 of 886 feet to a point situated 850.8 feet West of  
20 the centerline of Lima Road and 128.0 feet North  
21 of the South line of the Northwest quarter of said  
22 Section 26; thence South and parallel to the  
23 centerline of Lima Road, a distance of 256.0 feet,  
24 more or less, to the North line of real estate conveyed  
25 by Harold D. Gamrath and Thelma M. Gamrath  
26 to LaDean B. Dick and Mary Alice Dick, by deed  
27 dated January 30, 1962, recorded at Deed Record  
28 598, page 113, in the Office of the Recorder of  
29 Allen County, Indiana; thence East on the North  
30 line of said real estate conveyed to LaDean B.  
31 Dick and Mary Alice Dick, a distance of 128.9 feet,  
32 more or less, to the Northeast corner of said real  
estate to a point situated 714.3 feet West of the  
centerline of Lima Road; thence South a distance of  
491.1 feet to a point situated 719.4 feet West of  
the centerline of Lima Road; thence Westward by a  
deflection right of 90 degrees a distance of 175.3  
feet to the East line of Sherman Street as estab-  
lished on the Northeasterly border of Franke Park  
and recorded in Plat Book 13, page 119, in the Of-  
fice of the Recorder of Allen County, Indiana;  
thence Northwesterly along the aforesaid street  
line to the West line of said Section 26; thence  
Northerly along the Section line to the point of  
beginning; excluding all public rights-of-way and  
streets,

and the symbols of the City of Fort Wayne Zoning Map No. L-22,  
referred to therein, established by Section 33-11 of said  
Chapter are hereby changed accordingly.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

  
COUNCILMAN

APPROVED AS TO FORM AND  
LEGALITY SEPTEMBER 18, 1981.

  
BRUCE O. FOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Gia Quinta  
seconded by Robert, and duly adopted, read the second time  
by title and referred to the Committee \_\_\_\_\_ (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 9-22-81

CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Gia Quinta  
seconded by V. Schmidt, and duly adopted, placed on its  
passage. PASSED (2037) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	_____	_____	_____	_____
BURNS	<u>x</u>	_____	_____	_____	_____
EISBART	<u>x</u>	_____	_____	_____	_____
GIAQUINTA	<u>x</u>	_____	_____	_____	_____
NUCKOLS	<u>x</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>x</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>x</u>	_____	_____	_____	_____
SCHOMBURG	<u>x</u>	_____	_____	_____	_____
STIER	<u>x</u>	_____	_____	_____	_____
TALARICO	<u>x</u>	_____	_____	_____	_____

DATE: 10-10-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. 3-35-81  
on the 10th day of November, 19 81.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 12th day of November, 19 81, at the hour of  
10:00 o'clock ① M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 17th day of November  
19 81, at the hour of 1:00 o'clock ③ M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. Z-81-09-23

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. L-22

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

*Mark E. GiaQuinta*  
*Samuel J. Talarico*  
*Vivian G. Schmidt*  
*James S. Stier*  
*Donald J. Schmidt*

CONCURRED IN

DATE 11/10/81 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 October 1981

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held October 26, 1981. In addition to the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-09-23
2. From R-B to R-1
3. Intended Use: Single Family Residential
4. Plan Commission Recommendation: DO PASS


This ordinance recieved a DO PASS recommendation for the following reason:

REASON: This request is in the best interest of the entire neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 22, 1981 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-09-23; and,

WHEREAS, the required notice of public hearing on such proposed has been published as required by law; and,

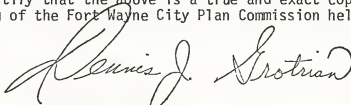
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit of the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

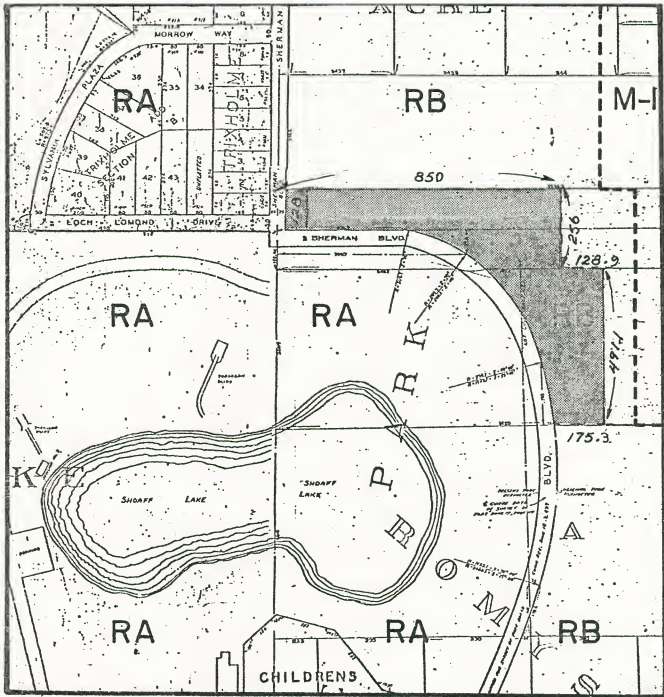
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 26, 1981.

Certified and signed this  
29th day of October 1981.

A handwritten signature in dark ink, appearing to read "Dennis J. Grotrian", is written over the printed name and title.

Dennis J. Grotrian  
Secretary



 ZONING RECLASSIFICATION FROM AN RB TO A R-I DISTRICT.

MAP NO. L-22

Z-81-09-23

BY G.R. LAX 9-4-81

#### LEGAL DESCRIPTION

Part of the Northwest 1/4 and Southwest 1/4 of Section 26, Township 31 North, Range 12 East, described as follows: Commencing at a point on the West line of said Section 26, a distance of 128.0 feet north of the West quarter corner of said Section 26; thence East and parallel to the South line of the Northwest quarter of said Section 26, a distance of 886 feet to a point situated 850.8 feet West of the centerline of Lima Road and 128.0 feet North of the South line of the Northwest quarter of said Section 26; thence South and parallel to the centerline of Lima Road, a distance of 256.0 feet, more or less, to the North line of real estate conveyed by Harold D. Gamrath and Thelma M. Gamrath to LaDean B. Dick and Mary Alice Dick, by deed dated January 30, 1962 recorded at Deed Record 598, page 113, in the Office of the Recorder of Allen County, Indiana; thence East on the North line of said real estate conveyed to LaDean B. Dick and Mary Alice Dick, a distance of 128.9 feet, more or less, to the Northeast corner of said real estate to a point situated 714.3 feet West of the centerline of Lima Road; thence South a distance of 491.1 feet to a point situated 719.4 feet West of the centerline of Lima Road; thence Westward by a deflection right of 90 degrees a distance of 175.3 feet to the East line of Sherman Street as established on the Northeasterly border of Franke Park and recorded in Plat Book 13, page 119, in the Office of the Recorder of Allen County, Indiana; thence Northwesterly along the aforesaid street line to the West line of said Section 26; thence Northerly along the Section line to the point of beginning; excluding all public rights-of-way and streets.



RECEIPT NO. 1

DATE FILED 8-26-81

INTENDED USE DOWN ZONE RB TO R1

THIS IS TO BE FILED IN DUPLICATE

I/We NORTH FRANK PARK NEIGHBORHOOD ASSOCIATION INC.  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RB District to a/an R1 District the property described as follows:

SEE ATTACHED LEGAL DESCRIPTION

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

SIGNED PETITIONS ARE WITH BOB WOENKER - CITY PLAN COMMISSIONER

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

WARREN B. CARTMEL  
(Name)

4612 SHERATON DRIVE, 46808  
(Address & Zip Code)

219-484-8148  
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

0429

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-81-09-23

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A parcel of ground located approximately 1,000 feet south of Louisdale Drive and east of Sherman Blvd.

EFFECT OF PASSAGE Property is now zoned RB - Suburban Residential. Property will become R-1 - Single Family Residential.

EFFECT OF NON-PASSAGE Property will remain RB - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -- room 122

November 19, 1981

Ms. Judy High  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of November 23 and November 30, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. Z-81-09-04  
Zoning Map Ordinance No. Z-32-81

Bill No. Z-81-09-06  
(as amended)  
Zoning Map Ordinance No. Z-33-81

Bill No. Z-81-09-08  
Zoning Map Ordinance No. Z-34-81

Bill No. Z-81-09-23  
Zoning Map Ordinance No. Z-35-81

Page 2

Bill No. Z-81-09-25  
Zoning Map Ordinance No. Z-36-81

Bill No. Z-81-10-15  
Zoning Map Ordinance No. Z-37-81

Bill No. G-81-10-34  
General Ordinance No. G-25-81

Please send us 25 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 1

## LEGAL NOTICE

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-34

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-09-06 -- Zoning Map Ordinance No. Z-33-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-27

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-81-09-08 -- Zoning Map Ordinance No. Z-34-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-09-23 -- Zoning Map Ordinance No. Z-35-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-22

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-36-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-10-15 -- Zoning Map Ordinance No. Z-37-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-14

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-81-10-34 -- General Ordinance No. G-25-81; being AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81; Bill No. Z-81-09-06 (as amended) -- Zoning Map Ordinance No. Z-33-81; Bill No. Z-81-09-08 -- Zoning Map Ordinance No. Z-34-81; Bill No. Z-81-09-23 -- Zoning Map Ordinance No. Z-35-81; Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-10-15 -- Zoning Map Ordinance No. Z-37-81 and Bill No. G-81-10-34 -- General Ordinance No. G-25-81, were passed by the Common Council on the 10th day of November, 1981, said Ordinances were signed and approved by the Mayor on the 17th day of November, 1981, and remains on file and on record in my office.

Copies of Bill No. Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81;  
Bill No. Z-81-09-06 (as amended) -- Zoning Map Ordinance No. Z-33-81;  
Bill No. Z-81-09-08 -- Zoning Map Ordinance No. Z-34-81; Bill No.  
Z-81-09-23 -- Zoning Map Ordinance No. Z-35-81; Bill No. Z-81-09-25 --  
Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-10-15 -- Zoning Map  
Ordinance No. Z-37-81; will be posted for reading in the following  
places in Fort Wayne, Allen County, Indiana; also Bill No. G-81-10-34 --  
General Ordinance No. G-25-81

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown  
Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East  
door of the Allen County Court House

Copies of Bill No. Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81;  
Bill No. Z-81-09-06 (as amended) -- Zoning Map Ordinance No. Z-33-81;  
Bill No. Z-81-09-08 -- Zoning Map Ordinance No. Z-34-81; Bill No.  
Z-81-09-23 -- Zoning Map Ordinance No. Z-35-81; Bill No. Z-81-09-25 --  
Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-10-15 -- Zoning Map  
Ordinance No. Z-37-81 and Bill No. G-81-10-34 -- General Ordinance No.  
G-25-81

- (1) Reference Room in the north end of the  
main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings  
in the Office of the City Clerk of Fort  
Wayne, Indiana

  
Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana,  
fulfilled and posted the above ordinances in the designated places as  
stated on November 23, 1981

  
Charles W. Westerman, City Clerk

## Fort Wayne Common Council

(Governmental Unit)

To NEWS-SENTINEL .Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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publication (50 cents for each proof in excess of two)

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*D. Roose*Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, D. ROOSE, who, being duly sworn, says that she is CLERK of the

## NEWS-SENTINEL

## DAILY

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 11/23 - 11/30/81

Subscribed and sworn to before me this 30th day of November, 1981My commission expires November 29, 1985

Notary Public

Fort Wayne Common Council

To **NEWS-SENTINEL** Dt

(Governmental Unit)

Allen

County, Ind

FORT WAYNE, INDIANA

### PUBLISHER'S CLAIM

## LINE COUNT

**Display Matter** (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines

Head	number of lines
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### COMPUTATION OF CHARGES

145 lines, 1 columns wide equals 145 equivalent lines at .276¢ \$40.02  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	23 extra	<u>11.50</u>
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TOTAL AMOUNT OF CLAIM.

51.52

#### DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type ..... 6 ..... point

Number of insertions ..... 2

Size of quad upon which type is cast.....6.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. Roose

Date Nov. 30 19 81

Title **CLERK**

## Form 903

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....**D. ROOSE**.....who, being duly sworn, says that she is.....**CLERK**.....of the

NEWS-SENTINEL

DAILY ..... newspaper of general circulation printed and published  
in the English language in the city of ..... FORT WAYNE, INDIANA  
town of .....

in state and county aforesaid, and that the printed matter attached hereto is a true copy,  
which was duly published in said paper for.....two times....., the dates of publication being  
as follows: 11/22 11/20/81

Subscribed and sworn to before me this 30th day of November 1981

My commission expires November 29, 1985

Notary Public



## Fort Wayne Common Council

To JOURNAL-GAZETTE Dr.

(Governmental Unit)

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

LINE

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(which the body of the advertisement is set) - number of equivalent lines

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lines containing rule or tabular work (50 per cent of above amount)

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of publication (50 cents for each proof in excess of two)

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Arvilla DeWald

Date

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN COUNTY SS:Personally appeared before me, a notary public in and for said county and state, the undersigned, ARVILLA DEWALD, who, being duly sworn, says that she is, CLERK of theJOURNAL-GAZETTEa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 11/23 - 11/30/81, the dates of publication being as follows:

Subscribed and sworn to before me this

30th day of November 1981

November 29, 1985

Notary Public

My commission expires

To.....JOURNAL-GAZETTE.....Dr.

**FORT WAYNE, INDIANA**

..County, Ind.

## LINE COUNT

Head	number of lines
1	1
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Body	number of lines
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Tail      number of lines

Total number of lines in notice

142

3

145

145 lines, 1 columns wide equals 145 equivalent lines at .27¢ \$ 40.02  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.

11.50

\$ 51.52

Width of single column 9.6 picas

Size of type ..... 6 point

Number of insertions ..... 2

Size of quad upon which type is cast.....6.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Nov. 30 81

Title **CLERK**

Form 904

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State of Indiana  
ALLEN County SS:

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in the English language in the city of **FORT WAYNE, INDIANA**

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which was duly published in said paper for.....two times....., the dates of publication being  
as follows: 11/23 - 11/30/81

Subscribed and sworn to before me this 17 day of November 1997

My commission expires.

[illegible]